



RE: Wallace Yard and Spur Lines Site - Draft proposed RUA agreement

Darrell.Early

to:

Gail.Wurtzler

02/27/2009 02:08 PM

Cc:

Clifford Villa, craig.trueblood, denise.lietz, Robert.Lawrence, Curt.Fransen, Rob.Hanson, Nicholas.Zilka, Mark.Stromberg

Hide Details

From: <Darrell.Early@deq.idaho.gov> Sort List...

To: <Gail.Wurtzler@dgsllaw.com>,

Cc: Clifford Villa/R10/USEPA/US@EPA, <craig.trueblood@klgates.com>,

<denise.lietz@klgates.com>, <Robert.Lawrence@dgsllaw.com>,

<Curt.Fransen@deq.idaho.gov>, <Rob.Hanson@deq.idaho.gov>,

<Nicholas.Zilka@deq.idaho.gov>, <Mark.Stromberg@deq.idaho.gov>

History: This message has been replied to.

Gail – as I mentioned in the meeting in Seattle, the State is inclined to roll the issue of Funding residential yard clean-up into the Consent Decree in a simplified form. IDEQ has met internally and discussed this with EPA. I have provided my suggestions to Cliff and he is amending the Draft Consent Decree to include them and will send them to you shortly. Idaho will not be responding directly to the Draft RUA agreement.

ATTORNEY CLIENT COMMUNICATION -  
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**From:** Wurtzler, Gail [<mailto:Gail.Wurtzler@dgsllaw.com>]

**Sent:** Friday, February 27, 2009 2:23 PM

**To:** Darrell Early

**Cc:** Villa.Clifford@epamail.epa.gov; Trueblood, Craig; Lietz, Denise; Lawrence, Robert

**Subject:** Wallace Yard and Spur Lines Site - Draft proposed RUA agreement

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Darrell,

I do not believe that we have received any comments from you on the attached email or the draft proposed Residential Use Area Agreement that was attached to it. What's the status of your review? Thanks.

Gail Wurtzler  
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(303) 892-7405  
[gail.wurtzler@dgsllaw.com](mailto:gail.wurtzler@dgsllaw.com)

**From:** Wurtzler, Gail  
**Sent:** Tuesday, January 13, 2009 4:22 PM  
**To:** 'Darrell.Early@deq.idaho.gov'; 'Villa.Clifford@epamail.epa.gov'  
**Cc:** Lawrence, Robert; Trueblood, Craig; 'Lietz, Denise'  
**Subject:** Wallace Yard and Spur Lines Site - Draft proposed RUA agreement

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Darrell,

I attach for your review a draft of a proposed Residential Use Area agreement. This draft has not been approved by management for UPRR or BNSF. UPRR management is in the process of discussing this and may seek changes. One issue that UPRR management is interested in expressly addressing is some clear limitation on possible financial exposure. We believe that BNSF has a similar concern.

Additionally, we will need information from IDEQ regarding costs after 2006 for the IDEQ RUA program and costs for work in non-residential areas.

We look forward to discussing these issues with you as we proceed with consent decree negotiations.

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